

FORM PTO-1390
(REV 11-98)

DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

084527-000000US

U.S. APPLICATION NO. (if known, see 37 CFR 1.51)

09/508713

INTERNATIONAL APPLICATION NO.

PCT/AU98/00769 ✓

INTERNATIONAL FILING DATE

September 16, 1998 ✓

PRIORITY DATE CLAIMED

September 16, 1997 ✓

TITLE OF INVENTION

UTILIZATION OF FILTERING EFFECTS IN STEREO HEADPHONE DEVICES ✓

APPLICANT(S) FOR DO/EO/US GLENN NORMAN DICKINS, DAVID STANLEY MCGRATH, ADAM RICHARD MCKEAG,
RICHARD JAMES CARTWRIGHT, ANDREW PETER REILLY ✓

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98. (including 8 references)
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:

International Search Report, International Preliminary Examination Report,
copy of published application

SCANNED

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <div style="font-size: 2em; font-weight: bold; margin-left: 100px;">09/508713</div>		INTERNATIONAL APPLICATION NO. PCT/AU98/00769		ATTORNEY'S DOCKET NUMBER 084527-000000US	
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17. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) : Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$970.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$840.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$760.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$670.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$96.00 <div style="text-align: right; margin-top: 10px;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>	CALCULATIONS PTO USE ONLY													
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	\$													
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:15%;">CLAIMS</th> <th style="width:15%;">NUMBER FILED</th> <th style="width:15%;">NUMBER EXTRA</th> <th style="width:15%;">RATE</th> </tr> <tr> <td>Total claims</td> <td>51 - 20 =</td> <td>+31</td> <td>X \$18.00</td> </tr> <tr> <td>Independent claims</td> <td>8 - 3 =</td> <td>+5</td> <td>X \$78.00</td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	51 - 20 =	+31	X \$18.00	Independent claims	8 - 3 =	+5	X \$78.00	\$ 558 \$ 390	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE											
Total claims	51 - 20 =	+31	X \$18.00											
Independent claims	8 - 3 =	+5	X \$78.00											
MULTIPLE DEPENDENT CLAIM(S) (if applicable)	+ \$260.00 \$													
TOTAL OF ABOVE CALCULATIONS =			\$ 1,918											
Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).			\$											
SUBTOTAL =			\$											
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).			\$											
TOTAL NATIONAL FEE =			\$ 1,918											
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property			\$											
TOTAL FEES ENCLOSED =			\$ 1,918											
<div style="text-align: right;">Amount to be:</div>			\$											
<div style="text-align: right;">refunded</div>			\$											
<div style="text-align: right;">charged</div>			\$											

a. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 20-1430 in the amount of \$ 1,918 to cover the above fees.
 A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
 overpayment to Deposit Account No. 20-1430. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Robert J. Bennett
 Townsend and Townsend and Crew LLP
 Two Embarcadero Center, 8th Fl.
 San Francisco, CA 94111

27,533
 REGISTRATION NUMBER

SCANNED

EXPRESS MAIL NO. EL394872095US

DATE OF DEPOSIT: March 15, 2000

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, D. C. 20231.

By: 

Attorney Docket No. 084527-000000US

Enclosures: Form PTO-1390, preliminary amendment, copy of published application, IDS, ISR, 8 references, IPER